

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KEVIN DUNN, SR.,

Plaintiff,

v.

Case No. 07-CV-10434

B. MATATALL, LAWRENCE PORTER
and CITY OF SOUTHFIELD.

Defendants.

ORDER EXTENDING DISCOVERY AND DEADLINE FOR DISPOSITIVE MOTIONS

The court conducted a telephone status conference with counsel to discuss the parties' joint request for an extension of discovery and dispositive motion deadlines, as well as an *in camera* review of the personnel files of the individual Defendants. The court was advised that the two remaining depositions are scheduled for the end of September and that adjournments are not expected. Further, the parties reached an understanding regarding attorneys-only review of factual material in the personnel files. Accordingly,

IT IS ORDERED that the parties complete discovery by **Monday, October 1, 2007**. The parties shall file dispositive motions no later than **Monday, October 15, 2007**. Remaining deadlines in the court's previous scheduling order are unchanged.

IT IS FURTHER ORDERED that an *in camera* review of the individual Defendants' personnel files is unnecessary, because Plaintiff's attorney will be permitted to conduct an initial review of the Defendants' personnel files for relevant factual

material (i.e., not including deliberative, evaluative or opinion material relative to any possible internal sanctions imposed as a result of this incident). The court understands that Plaintiff will organize a conference to inform the court without delay if, after reviewing the factual material, there remains any interest in review and discovery of other matters contained in the personnel files (potentially including deliberative, evaluative or opinion materials) and the basis for Plaintiff's interest including how such materials would not be barred by a deliberative process privilege and whether any such materials would be admissible even if they are preliminarily discoverable.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 13, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 13, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522